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**LOWER MOUNT BETHEL TOWNSHIP
BOARD OF SUPERVISORS MINUTES – MAY 18, 2026 @ 7:00 P.M.**

CALL TO ORDER - The May 18, 2026, Workshop meeting of the Lower Mount Bethel Township Board of Supervisors was held at 6984 S. Delaware Drive, Martins Creek, Pennsylvania, 18063. The meeting was called to order by Chairman C. Cook at 7:00 p.m. In attendance were J. Keifer, M. DeBerardinis, D. Ascani, R. Siegfried, J. Zator, Solicitor (joined via zoom at 7:45 p.m.) J. Coyle, Engineer, M. Hart and M. Mastrogiovanni. The Pledge of Allegiance was recited. There were approximately 50 plus members of the audience present. C. Cook announced there was an Executive Session / Informal session held on 5/13/26 for Legal Matters.

Approval of Minutes – May 4, 2026. MOTION by D. Ascani, second by M. DeBerardinis to approve the minutes as submitted. Vote: 5-0.

Courtesy of the Floor

1. T. Rehrig - Todd mentioned PSATS training is valuable Board of Supervisors to go, it's not mandatory, but suggested Supervisors attend to learn how to make important decisions for the community.

2. C. Cook - Supervisor Cook read a statement he prepared and explained the newsletter article released from his union 102 Beacan IBEW Local 102. Chris mentioned it's important to note, this article was written in January at the very beginning, just when they met with the developers. The article wasn't released until mid March. Chris mentioned the Board of Supervisors are all working together on this, and they all share responsibility to preserving and protecting AG land.

3. H. Klein – Howard mentioned he called the township and was told the Board of Supervisors would have meeting for actionable items, and not sure if there will be a Workshop Meeting. Howard noted the Supervisors should be having meetings every other week. Howard mentioned the Fire Company should be receiving donations from large businesses in the Township. Howard stated the Board of Supervisors have been silent up this this point and have poor judgment and suggested C. Cook recuse himself or resign. Howard asked about the consultant, is there an update, and are they going to hire or not? Howard mentioned he was a Supervisor for over 7 years, PSATS is a valuable asset and very helpful.

4. A. Tishuk – Arlene mentioned she lives in UMBT and asked what the Townships going to do about the 5,000 people affected by the proposed Data Center. She has lived in this community for 80 years, the township will be ruined if this Data Center comes in. Arlene read a quote from Thomas Jefferson. The residents like living here with natural beauty and have a right to live in decent surroundings. Arlene mentioned the Stine Farm burning for years. They had to deal with smoke and cinders for years and fought it all the way to Harrisburg, it cost the family \$200,000. Arlene indicated C. Cook has a conflict of interest. Arlene read an excerpt from Linden B. Jackson and the bible. The community don't want this data center, it will destruct all the beauty in the township.

New Business

1. Appoint Rec. Board Member – E. Williams. The Rec. Board has made a recommendation to approve the appointment to the Rec. Board. **MOTION** by J. Keifer, second by M. DeBerardinis to appoint Emily Williams to the Recreation Board. Vote: 5-0.

2. Consideration of Stream Habitat Improvement Practices Installation Agreement between Lower Mount Bethel Township and Martins Jacoby Watershed Association regarding Meadows Stream Habitat Improvement Project, pending Solicitor review and approval. R. Budihas was present and noted they don't meet the criteria for the grant requirements. Only state land can be considered as public land and the township had agreed to maintain the stream habitat improvement practice under the agreement for 25 years. **MOTION** by J. Keifer, second by M. DeBerardinis to have the solicitor review. Vote: 5-0.

3. Consideration of Change Order in the amount of \$2,050.00 for additional cubic yards of topsoil, seed, and mulch to backfill trail; re: Martins Creek Belvidere Highway Trail Reconstruction. This has been the only change order on the project. **MOTION** by J. Keifer, second by M. DeBerardinis to approve the change order in the amount of \$2,050.00. Vote: 5-0.

4. Consideration of LTAP Traffic Study Update at the intersection of Front St. & Hutchison Ave, at no cost to the Township. Bob Hart was present from the EAC. The last study was done 5 years ago. With the proposed Data Center discussion, an updated study should be done. The last study showed \$6,650 cars per day, this is very valid of what has changed since then and there is no cost to the Township. **MOTION** by M. DeBerardinis, second by J. Keifer to have LTAP perform an updated study for Front Street with the stipulation there is no cost to the Township. Vote: 5-0.

5. Consideration of authorizing the Township to send correspondence on behalf of the Board of Supervisors to Northampton County regarding the County Council meeting held on May 7, 2026. J. Keifer asked who wrote the letter, the Manager indicated the Chairman gave her the ok to write the letter and she wrote it. Jeffrey noted all Supervisors were notified about the letter except him, that being a violation of the sunshine law. J. Keifer explained his attendance at the County Council meeting, and in no way was he speaking on behalf of the Board of Supervisors. We are still waiting for a response back from the County worker. J. Kiefer noted the attended on behalf as a resident tax payer. Jeffrey noted his dissatisfaction with sending the apology letter since Northampton County still have not responded back. The Board of Supervisors voted to move forward with the RFP based upon the information from the manager that she looked into this. Jeffrey mentioned he tried to contact Chairman Cook and other Board of Supervisors, but nobody got back to him. D. Ascani mentioned when it came up, Megan did contact Sherry Acevedo and the authorities to see if this can be done. The Solicitor was around during the time the park was acquired and should have made the Board of Supervisors aware. M. Hart read the letter to be sent to County Council. The letter was also ran by the EAC and Open Space Committee. **MOTION** by D. Ascani, second by M. DeBerardinis to send the letter to Northampton County Council as written. Vote 4-1 with J. Keifer voting "no".

6. Consideration regarding elimination of compensation for Supervisors performing work duties ("Working Supervisors"). M. DeBerardinis indicated we have 2 Road Masters at this point and recommended to eliminate the Road Master positions and make it a Public Works liaison positions instead. This will be put on the June 1st BOS meeting for action.

7. Presentation – P. McInerney – OSC and R. Hart – EAC. Township Communication between BOS, EAC and OSC. P. McInerney indicated the EAC was established in 2007. They would have liked the BOS to come to them to figure out an alternative for the Meadows, they didn't believe it would be legal to do farming at the Meadows considering the Deed restrictions. Pat mentioned the EAC and OSC are here to help the Board of Supervisors with topics that arise.

They would like to explore the possibilities of cleaning up the Meadows. Pat invited the Board of Supervisors to attend the EAC and OSC meetings. The OSC is looking into compensation for farmers receiving a lower value of their land.

J. Keifer mentioned in January they started looking into the concept of farming at the Meadows. The Board of Supervisors and Manager should have reached out to those committees, the intent was just to make the Meadows look better.

8. Presentation – C. Buehler regarding consideration of a Curative Amendment Resolution. Catherine asked if the Township Solicitor could look into a curative amendment. This will give the Board 180 days to set parameters for the Industrial Zone as it relates to Data Centers, setbacks, noise, light levels and water usages. Catherine read the proposed Resolution she prepared. J. Zator explained his legal opinion on Curative Amendment and noted it's initiated by a Municipality or Developer and the mechanism is 180 days breathing space. J. Zator read sections of the Zoning Ordinance 27.1001.2.3 subsection dd, which relates to the "catch all" provision in the Industrial District. No Zoning Ordinance is going to address all different scenarios. J. Zator read section 1705 the process for a Conditional Use Hearing. There are no itemized standards for a Data Center. Joe mentioned the Developer cannot put a Data Center in the AG District; it would need to be re-zoned. Under PA State Law, every municipality must provide for each and every use. J. Shapiro supports Data Center and filing a curative amendment probably will not be successful and could be challenged. Joe explained the different types of uses and explained the fair share analysis, such LMBT wouldn't be required the same requirements as Upper Macungie. There was discussion about a timeline to draft an ordinance. The Planning Commission can initiate working on the ordinance with resident input. P. McInerney suggested the Planning Commission meet 2 times per month (their regular meeting is the 3rd Tuesday of the month). P. McInerney mentioned reaching out to J. Snook to see if he can assist, he was the Townships consultant for the Zoning Ordinance. J. Zator mentioned any ordinance to be adopted, takes time.

J. Keifer indicated him, M. Deberardinis, M. Hart, M. Mastrogiovanni, and zoning met with J. Callahan, Rep. for Developer and J. LaBarre from Talen. Jeffrey noted as far as re-zoning the Crane property, that was a dead deal and not going to happen. There was discussion at the meeting the option of putting the Data Center inside the quarry. That scenario, you wouldn't see the Data Center and it wouldn't pull and water from the ground. M. DeBerardinis indicated they got some answers, there is nothing submitted, they have to go through the proper channels. There was an option mentioned for them to purchase the Kyle Crane property, use a drip system, rezone the ash pit / quarry and they would consider putting the 300+ acres in Farmland Preservation. M. DeBerardinis mentioned the tank farm is zoned Industrial and an allowable use. M. DeBerardinis and J. Keifer both stated there is no interest in rezoning the AG land for Data Centers. They would like to see the Quarry option, since it's an old, abandoned quarry. This is all part of the process and there are a lot of restricts and testing to be done. The developer mentioned they have no end user. J. Guest asked J. Zator asked why there would be a conditional Use Evaluation. We have language in the Industrial zone for warehouses. J. Zator indicated General Conditional Uses applies to all, specific warehouse provisions would not apply.

Old Business

1. Consideration of Penn DOT's Offer to Purchase right-of-way for transportation improvement impact to the agricultural conservation easement located on UPI# G10-1-14-0117. J. Keifer indicated the work has been done, so this is a moot point. He is not in favor of eminent domain.

MOTION by M. DeBerardinis, second by C. Cook to approve the Purchase right-of-way for transportation improvement impact to the agricultural conservation easement located on UPI# G10-1-14-0117. Vote: M. DeBerardinis – yes, C. Cook – yes, R. Siegfried – yes, D. Ascani – no, J. Keifer – no. Motion passed.

2. Discussion regarding Farming at the Meadows. Discussed earlier on the agenda. Farming is not permitted at the Meadows and the RFP retraction will be on the June 1st agenda.

Correspondence - All correspondence are located in the Township Office.

Approval of the Bills - Megan read the bill list totaling \$25,307.03. **MOTION** by M. DeBerardinis, second by R. Siegfried to approve the bills. Vote: 5-0.

Public Comment

M. Hackenburg - Matt thanked J. Zator for explaining the Curative Amendment process. He also thanked J. Keifer and M. DeBerardinis for taking the lead talking to the Developer and being transparent and thanked the Board of Supervisors for working together.

T. Rehrig – Todd mentioned the Zoning Ordinance being unlawful and invalid. He didn't see case law J. Zator referred to regarding the Curative Amendment.

J. Guest – Joe thanked the Board of Supervisors and mentioned the township has the power to regulate zoning in our township we live in. All uses are permitted and operated in the way the township wants.

Mya Van Rossum – Delaware River Keepers. The Township needs to have clean air and conserve water and natural resources. Talen is bringing forth a bunch of ideas. Ag land is protected, so it shouldn't be given away. The township needs to protect the environmental resources of this community.

J. Kaylor – Jason indicated he is Dairy farmer and expressed his concerns on land usage, it's detrimental to livestock and stress to the animals. J. Keifer responded it does affect livestock. He has spent time on the phone with the livestock associations and trying to find out more information to prove it one way or another.

S. Newman- Sandra expressed her observations how meetings are run and public participation. She expressed her concerns with lack of transparency with community and residents. P. McInerney and B. Hart brought to the Board of Supervisors their commitment and knowledge. It's really important the Supervisor behave in a professional manner and have a good collaboration with the residents. She would like to see them continue this course, it's a way to bring the community together.

J. Matthews – Jeff mentioned J. Zator's involvement with the proposed developers on this Data Center and a potential conflict of interest. Mr. Zator needs to be impartial as a representative to the Township.

A. Tishuk – Arlene mentioned conflicts of interest and the second-class township code.

D. Ascani asked J. Zator if there is a conflict of interest with him representing us. J. Zator said he disclosed his involvement with the Developer a few months ago, with no objection from the BOS.

ADJOURNMENT – MOTION by M. DeBerardinis, second by D. Ascani to adjourn the Public Meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Melissa Mastrogiovanni, Township Secretary - Lower Mount Bethel Township